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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Paul David Morrison, et al
Serial No.: 09/738,050
Filed: 12/15/00
For: Method and Apparatus for an Interactive Catalog

Group Art Unit: 2174

Examiner: Nguyen

Commissioner of Patents and Trademarks
Alexandria, VA
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SUPPLEMENTAL BRIEF OF APPELLANTS

This is an appeal from the final rejection of all claims of the Examiner dated November 3, 2005 rejecting claims 1-3, 5-23, 27-31, and 36-45, all of the pending claims in the case. The original Brief was accompanied by the requisite fee of \$250 as set forth in §41.20(b)(2).

This supplemental brief adds specific references to claimed elements or steps in the "SUMMARY OF CLAIMED SUBJECT MATTER" and adds nil appendices "EVIDENCE APPENDIX" and "RELATED PROCEEDINGS APPENDIX"

REAL PARTY IN INTEREST

This patent application is assigned to P.D. Morrison Enterprises, Inc., a Texas corporation.

RELATED APPEALS AND INTERFERENCES

There are no related U.S. appeals, interferences, or judicial proceedings.

STATUS OF CLAIMS

The application was filed on December 15, 2000 as a new utility application with (44) forty-four claims, of which (8) eight were independent claims. (Claims 1, 24, 27, 32, 33, 34, 36, and 42)

An Election was entered on July 6, 2004 for claims 1-23, 27-31, 36-41, and 42-44. (Claims 1, 27, 36, and 42 are the pending independent claims.)

All of the pending claims were rejected in a First Office Action dated August 9, 2005. Claims 1-16, 18-23, 36-40, and 42-44 were rejected under section §102 based on Wical (U.S. Patent No. 6,240,410) and claims 17 and 41 were rejected based on the combination of Wical and Wittenburg (U.S. Patent No. 6,515,656)

On August 9, 2005, in response to the First Office Action, Applicant amended claims 1, 5-7, 19, 36, and 42; cancelled claim 4; and added claim 45.

In the next and Final Office Action, the Examiner rejected all pending claims on November 3, 2005.

The status of the claims as set out in the Final Office action was and is as follows:

allowed claims: none

claims objected to: none

Claims rejected: 1-3, 5-23, 27-31, and 36-45

STATUS OF AMENDMENTS

On January 25, 2006, Applicant submitted amendments to claims 1, 27, and 42; withdrew claim 36, and amended claims 37-41 to be dependent upon claim 1.

On February 15, 2005, Supervisory Examiner Kincaid mailed an Advisory Action stating that the January 25 amendments would not be entered because they raise new issues that would require further consideration and/or search.

SUMMARY OF CLAIMED SUBJECT MATTER

Overview

The applicant's invention is directed to interactive computer technology and more particularly to method and apparatus for an interactive catalog, such as an office products catalog.

Online or computer-based shopping can be a tedious and difficult activity, especially when there are a large number of products available. Searching for a particular product often requires "drilling down" a web site by clicking on a button on a first page to get to a second page, clicking on a button on a second page to get to a third page, and so on until a page showing the product that is desired appears. If the web site designer

cannot anticipate the myriad ways in which different potential customers think of the same product, then the web site can be difficult for the potential customer to navigate.

Many potential customers find paperbound catalogs of products easier to use. Customers can thumb through a paperbound catalog quickly, finding a section that is likely to contain the desired product, and then read a particular page of the catalog to obtain information quickly. A paperbound catalog often contains a table of contents organized by category, an index organized alphabetically, a list of manufacturers organized by company name, and a list of part numbers or product numbers organized numerically. These sections of the paperbound catalog are often cross-referenced to one another and to a page showing a picture of the product.

The current invention provides an electronic catalog that can be used as a paperbound catalog.

The disclosed method and apparatus for an interactive catalog includes a collection of methods that allow a merchant or supplier to organize products in many different ways. Customers can choose various ways to “thumb through” the products. A customer is presented with a row of tabs, referred to as a first tier.

The catalog includes a collection of graphic images for the products available from the merchant or supplier. The graphic images are arranged dynamically into pages as the customer clicks on the various tabs. Each tab has at least one page associated therewith. As the customer clicks on various tabs, the page associated with the tab, or the first page if the tab has several pages associated therewith, is displayed. No matter how the customer desires to thumb through the catalog, pages are selected to accommodate the customer.

The tabs are dynamically selected. For example, the tabs such as those beginning with the letter “A” may be displayed. As the customer clicks on a tab identifying a category of products, a collection of subcategories of products is displayed. A tab and page for each of the subcategories is presented as the second tier. When the customer clicks on a product category tier tab, a collection of subcategories such as page numbers is displayed as the third tier.

Example

In an office products catalog, the first tier is typically a set of alphabetical tabs where each tab is one or more letters. The tier is scrollable, so that it is not necessary to present all letters on the display screen.

Each tab in the first tier has a collection of categories associated with the tab. When a first tier tab is selected, a second tier of tabs of categories associated with the first tier tab is presented. For instance, if the first tab is the letter “A”, then the second tier categories may include “Adhesives”, and “Art/Drafting”. If the first tier tab is the letter “P”, then categories “Printers”, and “Palettes”, etc. may be presented in the second tier. The second tier is scrollable, and may be presented in the same or different orientation as the first tier.

Each tab in the second tier may have a collection of catalog pages associated with the tab. When a second tier tab is selected, a third tier of tabs of page numbers associated with the second tier tab is presented. For instance, if the selected second tier tab is “Adhesives”, then the third tier includes a tab that is labeled with page numbers of the catalog associated with adhesives. If the tab of the second tier includes a text message, icon, or other graphics image representing art and drafting supplies and is selected, then the third tier includes a tab that is labeled with a page number of the catalog associated with art and drafting supplies. Bottom tier tabs are individually numbered tabs representing individual catalog pages. The third tier is scrollable, and may be presented in the same or different orientation as the first and second tier.

In other examples, there may be fewer or more than 3 tiers of tabs.

Claims References

The following annotated claims indicate figure and reference numbers and/or specification discussion of the claims elements [page:line(s) format]. The claims themselves are generally self-explanatory unless otherwise noted.

1. (General discussion at 4:3 to 9:15) A method for presenting a portion of an electronic catalog database, the method comprising steps of:

presenting a first tier of tabs (FIG. 1 #102), each tab (FIG. 1 #110, 111, 112, 114, 116, 118) in the first tier of tabs representing a first collection of data objects corresponding thereto;

in response to a selecting of a tab of the first tier to produce a selected first tier tab, presenting a second tier of tabs (FIG. 1 #104), each tab (FIG. 1 #120-128) in the second tier of tabs representing a second collection of data objects, each data object in the second tier also belonging to the first collection of data objects corresponding to the selected first tier tab;

in response to a selecting of a tab of the second tier to produce a selected second tier tab, presenting a third tier of tabs (FIG. 1 #106), each tab (FIG. 1 #130-138) in the third tier of tabs representing a third collection of data objects, each data object in the third tier also belonging to the second collection of data objects corresponding to the selected second tier tab; and

in response to a selecting of a tab of the third tier, displaying a page (shown in FIG. 1 #108) from the electronic catalog database.

2. The method of claim 1, wherein: the second tier of tabs is not visible until after the selecting of a tab of the first tier. (5:11-12)

3. The method of claim 1, wherein: the second tier of tabs is visible. (FIG. 1 #104)

5. The method of claim 1, wherein: the third tier of tabs is not visible until after the selecting of a tab of the second tier. (7:11-12)

6. The method of claim 1, further comprising a steps of: in response to a selecting of a tab of the third tier to produce a selected third tier tab, presenting a fourth tier of tabs, each tab in the fourth tier of tabs representing a fourth collection of data objects, each data object in the fourth tier also belonging to the third collection of data objects corresponding to the selected third tier tab; and in response to a selecting of a tab of the fourth tier, displaying a page from the electronic catalog database. (10:18 to 11:2)

7. The method of claim 1, wherein the electronic catalog database comprises a plurality of products. (18:3)

8. The method of claim 1, wherein: the presenting the first tier of tabs includes executing a process in a first computer system and displaying the first tier of tabs on a display device of a second computer system; and the selecting of a tab of the first tier to produce a selected first tier tab includes providing a selection of the selected first tier tab to the first computer system. (19:3-10, 38:13-16, 39:10-12)

9. The method of claim 1, wherein: after the selecting of the tab of the first tier to produce the selected first tier tab representing a first collection of data objects, and in response to a selecting of a subsequent tab of the first tier to produce a subsequent selected first tier tab, wherein the first tier includes both the selected first tier tab and the subsequent selected first tier tab: replacing the second tier of tabs with a subsequent second tier of tabs representing a fourth collection of data objects; and replacing the third tier of tabs with a subsequent third tier of tabs representing a fourth collection of data objects. (This updating is described at 27:21 to 28:2, 32:6-10, and 36:10-20)

10. The method of claim 1, further comprising a step of: modifying a browser to perform the presenting the first tier of tabs. (38:17-20)

11. The method of claim 1, further comprising: receiving a scroll input corresponding to at least one of the first tier and the second tier; in response to receiving a scroll input, scrolling the corresponding at least one of the first tier and the second tier. (4:11-15, 6:15-18)

12. The method of claim 1, wherein: at least one of the first tier and the second tier is horizontal. (FIG. 1 and 32:1-3)

13. The method of claim 1, wherein: at least one of the first tier and the second tier is vertical. (32:1-3)

14. The method of claim 1, wherein: at least one of the first tier and the second tier is horizontal and at least one of the first tier and the second tier is vertical. (32:3-5)

15. The method of claim 1, wherein: the form representing the collection of records of tabs is visually scalable. (4:17, 6:20, 9:3, 37:17)

16. The method of claim 1, further comprising a step of: accessing the database over a network. (4:17, 6:20, 9:3, 37:17)

17. The method of claim 16, wherein: accessing the database over a network includes accessing the database over the Internet. (19:5, 38:13-15, 39:10-13)

18. The method of claim 16, wherein: accessing the database includes reading a computer readable medium. (18:20 to 19:2)

19. The method of claim 16, wherein: accessing the database over a network includes accessing a first portion of the database over a network and a second portion of the database over a computer readable medium. (19:11-13, 18:0 to 19:2)

20. The method of claim 16, further comprising: storing the portion of the database locally. (39:22)

21. The method of claim 1, comprising accepting a text input search request from a user; conducting a search and identifying at least one data object that satisfies the search request; identifying at least one data object; determining a second tier of tabs associated with the data object; determining a first set of tabs associated with the data object; and displaying a representation of the data object along with the first set of tabs and the second set of tabs. (9:16 to 10:4)

22. The method of claim 1, comprising presenting a graphic image on at least one of the first tier tabs. (4:8)

23. (Original) The method of claim 1, comprising presenting a graphic image on at least one of the second tier tabs. (8:4)

27. A method for presenting an electronic office products catalog, the method comprising: (FIG. 1 shows an example of a presenting a multi-tier display; FIG. 6 shows example steps in creating the presentation groups; FIG. 7 shows example steps in presenting a portion of the database)
 assigning, for each office product, at least one product category name (21:57);
 assigning, for each product category name, an alphabetic tab, such that the tab corresponds to the first letter of the product category name (FIG 6 Step 318, 24:19-22);
 assigning, for each office product, at least one page number of the electronic catalog where the office product will be displayed (26:1-24);
 assigning, for each product category name, a set of page numbers corresponding to the pages of the electronic catalog at least one office product corresponding to the product category name will be displayed in the electronic office products catalog (26:1-24);
 presenting a first tier of alphabetic tabs, each alphabetic tab displaying at least one letter; (FIG. 1 shows an example of a presenting a multi-tier display)
 in response to a selecting of an alphabetic tab, presenting a second tier of product category name tabs, such that a product category name tab is presented for each product category name beginning with the alphabetic letter of the selected alphabetic tab; (FIG. 1 shows an example of a presenting a multi-tier display)
 in response to a selecting of a product category name tab, presenting a third tier page number tabs, such that at least one page number tab is presented for each product category name (FIG. 1 shows an example of a presenting a multi-tier display); and
 in response to a selecting of a page number tab, displaying the first page represented by the page number tab (FIG. 1 shows an example of a presenting a multi-tier display).

28. The method of claim 27 comprising scrolling at least one of the alphabetic, product name, or page number tabs. (4:11-15, 6:15-18, 8:20-24, FIG.1)

29. The method of claim 27 comprising in response to a selecting of a product category name tab, presenting a third tier of product sub-category name tabs such that at least one sub-category name tab is presented for each product category name (7:16-23); in response to a selecting of a product sub-category name tab, presenting a fourth tier of page number tabs, such that at least one page number tab is presented for each subproduct category name; and in response to a selecting of a page tab, displaying the first page represented by the page number tab . (36:12-23)

30. The method of claim 27 comprising accessing the electronic office products catalog over a network (39:10-13).

31. The method of claim 27 comprising storing the portion of the database locally. (44:22)

36. A method for presenting a portion of an electronic catalog database, the method comprising steps of:

presenting a bottom tier of tabs, each tab in the bottom tier of tabs representing a first collection of data objects corresponding thereto (36:12-16)

; and

in response to a selecting of a tab of the bottom tier to produce a selected bottom tier tab, presenting a form of selectable graphics images representing a collection of records of the database; and presenting a next tier of tabs, each tab in the next tier of tabs representing a collection of tabs of the bottom tier of tabs (Step 426, 37:10-14).

37. The method of claim 36, further comprising a step of: receiving an action from the form. (Step 428, 37:22)

38. The method of claim 37, wherein: the action is a text entry. (38:2)
39. The method of claim 37, wherein: the action is a quantity. (38:3)
40. The method of claim 37, further comprising: in response to receiving an action, generating a record for subsequent action. (38:5)
41. The method of claim 37, further comprising: generating a purchase order in response to receiving the action. (Step 426, 38:5)
42. A method of presenting a plurality of electronic catalogs on a computer workstation, the method comprising
- presenting a menu of electronic catalogs to a user from the workstation; and
 - in response to the selection of a catalog (FIG. 9 #408, 409, 410),
 - (The following steps are shown in FIG 1 and 4:3 to 9:15 as referenced by 45:2-3 :)
 - presenting a first tier of tabs from the selected catalog, each tab in the first tier of tabs representing a first collection of data objects corresponding thereto;
 - in response to a selecting of a tab of the first tier to produce a selected first tier tab, presenting a second tier of tabs from the selected catalog, each tab in the second tier of tabs representing a second collection of data objects, each data object in the second tier also belonging to the first collection of data objects corresponding to the selected first tier tab;
 - in response to a selecting of a tab of the second tier to produce a selected second tier tab, presenting a third tier of tabs, each tab in the third tier of tabs representing a third collection of data objects, each data object in the third tier also belonging to the second collection of data objects corresponding to the selected second tier tab; and
 - in response to a selecting of a tab of the third tier, displaying a page from the selected electronic catalog.

43. The method of claim 42 comprising displaying a product display page. (Product display page is shown in item 108 display of FIG. 1)

44. The method of claim 42 comprising displaying an index page (42:7-11).

45. (This claim is shown in FIG. 1)

A method for presenting a portion of a database, the database comprising a plurality of data objects, the method comprising steps of:

presenting a first tier (FIG. 1 #102) of graphics images, such that each of the graphics images in the first tier represents a first collection of data objects from the plurality of data objects;

in response to a selecting of a graphics image of the first tier of graphics images, continuing to present the first tier of graphics images (FIG. 1 #102), and presenting a second tier (FIG. 1 #104) of graphics images, such that each of the graphics images in the second tier represents a second collection of data objects from the plurality of data objects, such that the second collection of data objects is a subset of the first collection of data objects;

in response to a selecting of a graphics image of the second tier of graphics images,

continuing to present the first tier of graphics images (FIG. 1 #102), continuing to present the second tier of graphics images (FIG. 1 #104), presenting a third tier (FIG. 1 #106) of graphics images, such that each of the graphics images in the third tier represents a third collection of data objects from the plurality of data objects, such that the third collection of data objects is a subset of the second collection of data objects;

in response to a selecting of a graphics image of the third tier of graphics images, continuing to present the first tier of graphics images (FIG. 1 #102), continuing to present the second tier of graphics images (FIG. 1 #104), continuing to present the third tier of graphics images (FIG. 1 #106), and determining whether (10:18 to 11:2)

to present a fourth tier of graphics images such that each of the graphics images in the fourth tier represents a fourth collection of data objects from the plurality of data objects, such that the fourth collection of data objects is a subset of the third collection of data objects, or
to present a selected portion of the database.

GROUND FOR REJECTION TO BE REVIEWED ON APPEAL

1. The Examiner has rejected claims 1-3, 5-16, 18-23, 36-40, 42-44, and 45 under 35 U.S.C. §102 as being anticipated by Wical (U.S. Patent No. 6,240,410).
2. The Examiner has rejected claims 17 and 41 under 35 U.S.C. §103 as being unpatentable over Wical in view of Wittenburg (U.S. Patent No. 6,515,656).
3. The Examiner has rejected claims 27-31 under 35 U.S.C. §103 as being unpatentable over Wical and Bodnar (U.S. Patent Application No. 2001/0000668).

ARGUMENT

§102 Rejections

The current invention provides a convenient and efficient way for a user to find and review pages of an electronic catalog. In the current invention, tiers of tabs are maintained on a display screen so that the user may select a particular page, in a manner similar to a catalog index. For instance, a category of items may be easily selected alphabetically, and catalog pages associated with the category may be directly accessed from the display. The user may then select other catalog pages or other categories without the typical multiple-screen drill down navigation of systems such as taught by Wical. A typical implementation of the current invention is three tiers of tabs- an alphabetic tier, a category tier, and a page tier. These tiers may remain on the display so that the user may make subsequent selections.

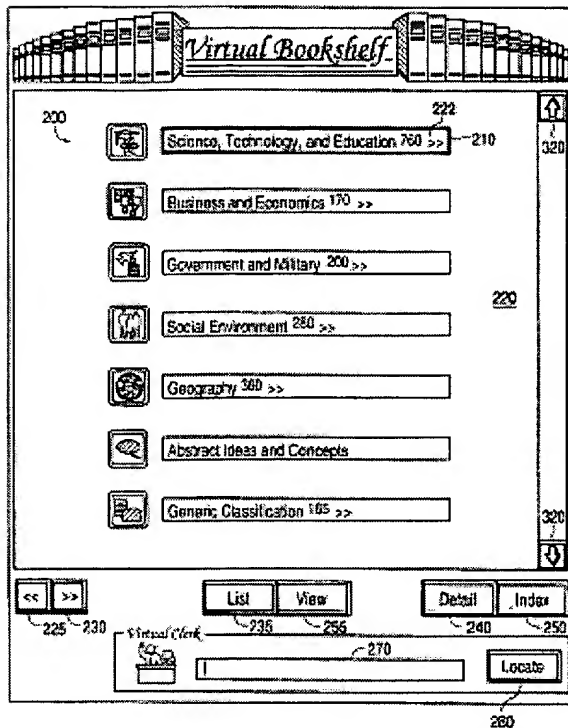
By contrast, Wical teaches an extensive drill down approach to locating information from a plurality of documents such as “books, magazines, journals, etc.” [Wical Abstract]. Wical’s FIG. 2f shows an example with 7 levels of categories and subcategories. After Wical’s user has navigated these 7 levels, through multiple computer display screens, the user still has to take an additional step to access a particular page or pages of desired information. The appearance and function of Wical are substantially different from the current invention. Part of this difference relates to the tasks. Wical does not display both complicated navigational history information and ultimate page content on a single display. Wical uses multiple steps of contract and expand buttons to accomplish navigation.

Claims 1, 2, 5, 6, 8, 10, 11, 13, 16, 18, 19, 20, 21, 22, 23

Wical does not teach “presenting a first tier of tabs, each tab in the first tier of tabs representing a first collection of data objects corresponding thereto” as claimed in claim 1. Wical’s display includes a “menu of the hierarchies labeled 220 on FIG. 2a.” [Wical col 10 line14]

Wical

FIG. 2a



Wical does not teach “in response to a selecting of a tab of the first tier to produce a selected first tier tab, presenting a second tier of tabs, each tab in the second tier of tabs representing a second collection of data objects, each data object in the second tier also belonging to the first collection of data objects corresponding to the selected first tier tab” as claimed in claim 1. After selection, Wical requires a separate action to generate a list of categories in the next lower level:

In a preferred embodiment, **each category name is displayed in a box**, such as box 210 for “science, technology, and education”, for selection by a user. Within the box for a corresponding category, a number, such as the number “760” for the “science, technology and education” category, is displayed. The number indicates the number of documents that relate to the particular category available on the virtual bookshelf. Furthermore, a symbol “>>”, labeled 222 on FIG. 2a, is provided in the box to indicate that there are lower level hierarchies within the corresponding category. [Wical col 10, line 27-36]

The example shown in FIG. 2b is generated in response to a user selecting the “science, technology, and education” category and invoking the expand function via the expand button 230. In general, when one of the high level knowledge catalog categories are selected for expansion, **a list of categories in the next lower level of the hierarchy for the selected item are displayed**. [Wical col 11, line 65 to col 12, line 4]

Wical teaches "category names" displayed in boxes, and menus or lists of categories. Wical does not teach tabs or tiers of tabs.

Wical does not teach "in response to a selecting of a tab of the second tier to produce a selected second tier tab, presenting a third tier of tabs, each tab in the third tier of tabs representing a third collection of data objects, each data object in the third tier also belonging to the second collection of data objects corresponding to the selected second tier tab" as claimed in claim 1.

Wical

FIG. 2c

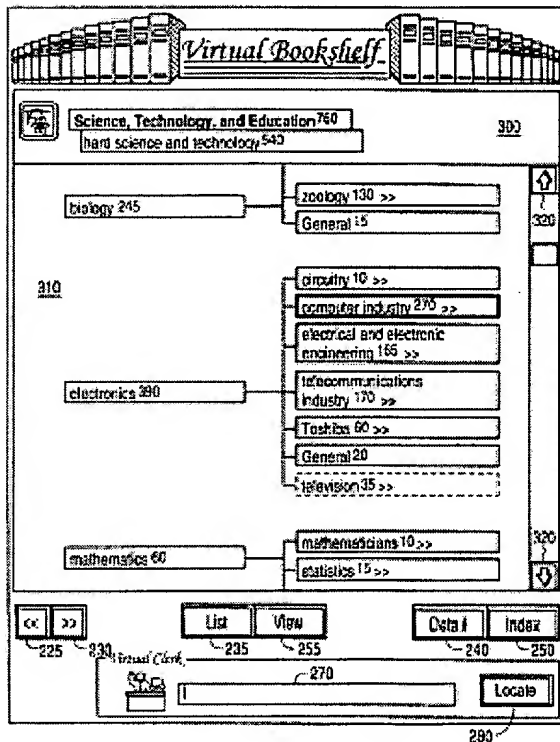


FIG. 2c illustrates further expansion of the virtual bookshelf hierarchy. For the example illustrated in FIG. 2c, the sub category "hard science and technology" was selected, and the expand action button 230 pressed. In response, the virtual bookshelf system displays the first page of the hierarchical structure for the parent node of "hard science and technology." The hierarchical structure is displayed in a navigation section 310 and a history section 300. The navigation 310 further includes a scroll bar 320 to permit a user to scroll up and scroll down the hierarchy for the "hard science and technology" parent category. When a category is selected for expansion, the category is added to navigation history, and it is displayed in the history section 300 located

above the navigation section 310. For the example shown in FIG. 2c, the "science, technology, and education" and "hard science and technology" categories are shown as the parent categories for the selected hierarchy displayed in the navigation section 310. [Wical col 12, lines 11-28]

This description highlights several differences between Wical and the current invention.

- In Wical, the “expand” button is pressed to generate a lower level of categories. The lower level of categories is not generated from simply selecting an upper category item.
- In Wical, the “first page” of the hierarchical structure is displayed rather than a tier of tabs, and a scroll bar is provided for scrolling up or down the hierarchy.
- In Wical, once a category is selected, it is moved to a separate history section rather than remaining in the same place in the navigation section.

Wical does not teach “in response to a selecting of a tab of the third tier, displaying a page from the electronic catalog database” as claimed in claim 1. Wical uses a “knowledge catalog” to generate an ontology, but Wical does not describe representing knowledge from catalogs. Wical does not teach searching or displaying electronic catalogs. The examiner argues that in Wical Fig. 2c, “a page from electronic catalog database is displayed in 310 when a tab is selected.” As described in the excerpt above, this page is not the content of an electronic database- it is a portion of the hierarchical structure generated by Wical.

The system described by Wical is not suited to a tiered display because of the variable levels of the hierarchical structure. Since different categories may have different levels of classifications, Wical adopts an approach that indicates with the “>>” symbol, that there are categories below the current level:

Each ontology contains a plurality of levels that form the hierarchical structure. **For example, a "business and industry" static ontology contains three levels of concept classifications under the**

highest level concept, and "economics" contains four levels of concept classifications. The actual configuration, structure and orientation of a particular ontology is dependent upon the subject matter or field of the ontology. Therefore, each ontology in the set of static ontologies contain a different point of view. **The different points of view for the static ontologies result in different approaches or different ways of viewing the knowledge concepts in the different static ontologies. Consequently, the organization of the knowledge concepts in each ontology is not consistent.** As is explained below, the different points of view for the ontologies permit viewing or browsing "like" forms of knowledge with "unlike" forms of knowledge in the virtual bookshelf. [Wical col 7, lines 43-59]

Claim 1 and its dependent claims are not anticipated by Wical. No element of claim 1 is taught by Wical.

Claim 3

Claim 3, "The method of claim 1, wherein: the second tier of tabs is visible" is not anticipated by Wical. As shown in Wical's Figs 2a-2f, the menus or lists of categories are not displayed until a higher level category is selected.

Claim 7

Claim 7, "The method of claim 1, wherein the electronic catalog database comprises a plurality of products" is not anticipated by Wical. The examiner cites Fig 4b, a listing of books, as precedent for this claim. Wical does not teach selling these books, or any other product. The current invention embodiment (beginning page 4, line 1) "Screen For Searching and Purchasing Products using the Online Catalog" describes searching and ordering tangible products.

Claim 9

Wical does not teach "replacing the second tier of tabs with a subsequent second tier of tabs representing a fourth collection of data objects; and replacing the third tier of tabs with a subsequent third tier of tabs representing a fourth collection of data objects" as

claimed in claim 9. As described above, Wical teaches multiple steps of expansion and contraction of categories to search a new area.

Claims 12, 14

Wical does not teach “wherein: at least one of the first tier and the second tier is horizontal” as claimed in claim 12. Wical does not teach “wherein: at least one of the first tier and the second tier is horizontal and at least one of the first tier and the second tier is vertical” as claimed in claim 14. Wical shows single categories as horizontal text or boxes, but does not show multiple categories displayed horizontally.

Claim 15

Wical does not teach “wherein: the form representing the collection of records of tabs is visually scalable” as claimed in claim 15. The Examiner cites the expand and contract functions as precedent for scaling, but Wical describes these functions as moving to different category levels.

“In accordance with one embodiment of the present invention, the first tier 102 is visually scalable. In other words, as the user enlarges or reduces the size of the first tier 102, the size of the tabs enlarges or reduces as well. In accordance with another embodiment of the present invention, the first tier 102 is visually stretchable in at least one direction. In other words, as the user enlarges or reduces the size of the first tier 102 in a first direction, the size of each tab remains unchanged and number of tabs of the first tier 102 that is visible increases or reduces.” [Current Invention, Page 4, liens 16-21]

Claims 36-40

Wical does not teach “A method for presenting a portion of an electronic catalog database” as claimed in claim 36.

Wical does not teach “presenting a bottom tier of tabs, each tab in the bottom tier of tabs representing a first collection of data objects corresponding thereto” as claimed in claim 36.

Wical does not teach “in response to a selecting of a tab of the bottom tier to produce a selected bottom tier tab, presenting a form of selectable graphics images representing a collection of records of the database; and presenting a next tier of tabs, each tab in the next tier of tabs representing a collection of tabs of the bottom tier of tabs” as claimed in claim 36.

The current invention describes “bottom tier tabs” as tabs representing individual catalog pages:

Bottom tier tabs are individually numbered tabs representing individual catalog pages. Alternately, these tabs may have a “p” or “page” associated with the number to indicate a page number. [Current invention, page 8, lines 1-3]

The method includes presenting a bottom tier. When the method includes presenting a first tier and a second tier and does not include presenting a third tier, then the second tier is the bottom tier. When the method includes presenting a first tier, a second tier, and a third tier, and does not include presenting a fourth tier, then the third tier is the bottom tier. The method therefore includes presenting a bottom tier of tabs, as shown for example in step 424. The bottom tier includes a plurality of selectable bottom tier graphics images. Each tab in the bottom tier of tabs represents a first collection of data objects corresponding thereto. In other words, rather than representing a collection of tabs at a lower tier, each tab in the bottom tier represents a first collection of data objects. [Current invention, page 36, lines 12-20]

In accordance with one embodiment of the present invention, the database is designed to mimic a paper catalog, and the bottom tier includes a tab for each page in a catalog. Accordingly, each tab in the bottom tier is labeled with a page number of the paper catalog. Where the paper catalog is divided into section, a tier immediately “above” the bottom tier (in a hierarchy of tiers) has a tab for each section of the catalog. [Current invention, page 36, line 21 to page 37, line 2]

As described above, Wical does not teach product catalogs. Wicals’ lowest navigation level, as indicated by Fig. 2f, is a journal article or book. (The user may perform functions, such as reviewing the index, of the book, but the “records in the database” are books or articles rather than individual catalog pages or products.)

Wical does not teach “receiving an action from the form” as claimed in claim 37. .

Wical does not teach “wherein: the action is a text entry” as claimed in claim 38.

Wical does not teach “wherein: the action is a quantity” as claimed in claim 39.

Wical does not teach “in response to receiving an action, generating a record for subsequent action” as claimed in claim 40.

At step 428, an action is received from the form. The action is, for example, a clicking on a radio button. If desired, the action may be a text entry into a dialog box, a striking of a key on a keyboard, a moving of a mouse, or a receiving of another hardware or software signal. In accordance with one embodiment of the present invention, the action is a text entry. In accordance with one embodiment of the present invention, the action is an entry of a quantity. For example, if a customer wishes to purchase ten items of a product, then the customer may enter “10” into a dialog box. At step 426, a purchase order is generated in response to receiving the action. [Current invention, page 37, line 22 to page 38, line 6]

Claims 42-44

Wical does not teach “A method of presenting a plurality of electronic catalogs on a computer workstation” as claimed in claim 42.

Wical does not teach “presenting a menu of electronic catalogs to a user from the workstation” as claimed in claim 42.

As described in the claim 1 discussion above, Wical does not teach presenting tiers of tabs in order to present a catalog page.

Wical does not teach “displaying a product display page” as claimed in claim 43.

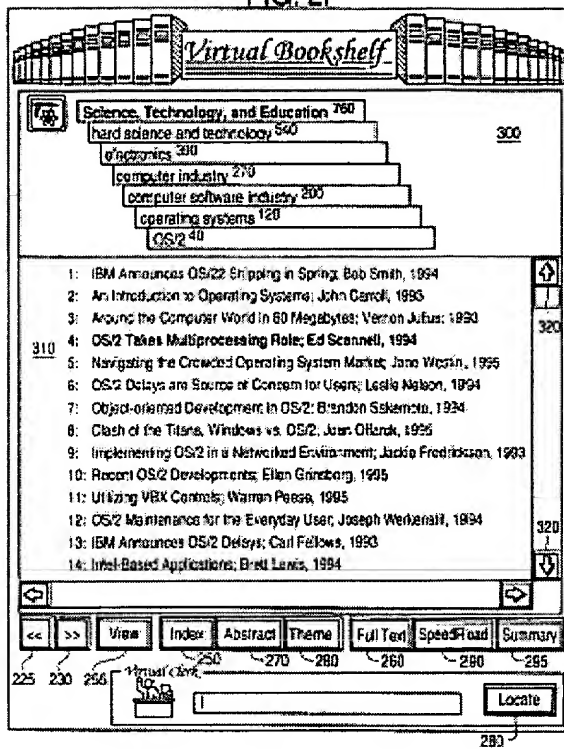
Wical does not teach “displaying an index page” relating to an electronic catalog as claimed in claim 43.

Claim 45

Wical does not teach “continuing to present the first tier of graphics images” or “continuing to present the second tier of graphics images” as claimed in claim 45.

Wical

FIG. 2f



Wical teaches a bookshelf system for browsing information where only a portion of the hierarchical structure may be displayed. As illustrated by FIG. 2f, this portion of the structure represents the path “from the highest hierarchical levels to the hierarchical level of the match category” [Wical Abstract] This path does not include displaying tiers of tabs. Claim 45 recites three tiers of graphics images, where the first and second tiers of graphics images remain viewable as the user makes selections. Support for this claim is shown in FIG. 1 of the current application where the first tier of tabs and the second tier of tabs remain visible as the third tier of tabs is displayed and a third tier tab is selected.

§103 Rejections

Claim 17

The references of Wical and Wittenburg are not reasonably combined to form an obviousness rejection of claim 17. Wical teaches a bookshelf system for browsing

information, while Wittenburg teaches a multimedia presentation such as online shopping.

Claims 27-31

Neither Wical nor Bodnar teach or suggest “a method for presenting an electronic office products catalog” as claimed in claim 27.

As illustrated below, Bodnar, FIG. 8E teaches displaying tabs representing the first letter or letters of person names. Bodnar does not teach multiple levels of tabs related to an electronic catalog for products.

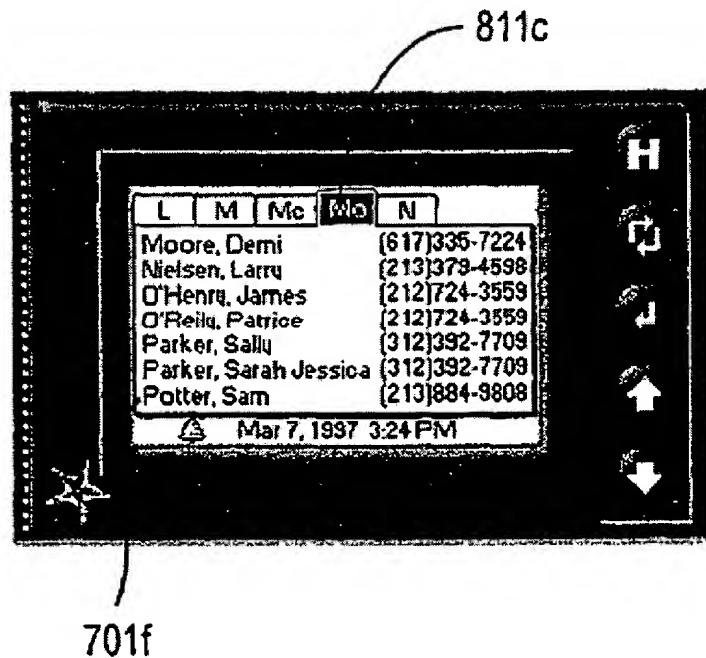


FIG. 8E

Neither Wical nor Bodnar teach “displaying the first page represented by the page number tab” as claimed in claim 27.

The references of Wical and Bodnar are not reasonably combined to form an obviousness rejection for claims 27-31. Wical teaches a bookshelf system for browsing information, while Bodnar teaches a portable computing device with about 7 lines of display. Claims 27-31 of the current application relate to a method for presenting an electronic office products catalog.

Bodnar teaches a dynamic tab splitting method which teaches away from the multi-tiered tab display of the current invention:

82. The foregoing example illustrated a scenario where simple category headings sufficed. At times, however, a simple category heading might not provide sufficient detail. Consider a scenario when the user has navigated to a category having "M" entries only to find that a very large number of "M" entries exist. In an electronic address book, it is not uncommon to find, for example, a large number of "Mc" entries. FIG. 8A illustrates this scenario. Here, the user has tabbed to a category including "M" entries. For the interface 700 (now 700c), this is shown at tab 801. As a result of having selected tab 801, the list 701 (now 701c) is updated and, for this example, includes a large number of "M" entries. To drill down into these entries, the user clicks the select key, shown at 805.

83. In response to this action, the interface 700 (now 700d) updates, as indicated in FIG. 8B. Note particularly that the category tab has, in effect, "split" into subcategory tabs. For instance, "M" entries are now represented by three tabs 811: "M," "Mc," and "Mo" tabs. Here, since there are a great number of "Mc" entries, the system has synthesized dynamically an "Mc" tab, so those entries have their own subcategory tab. In this fashion, the user can quickly navigate to a particular subcategory of interest, thereby avoiding the need to linearly scan through a subcategory having a large number of entries which are not of interest (e.g., "Mc" entries)."[Bodnar Paragraphs 82-83]

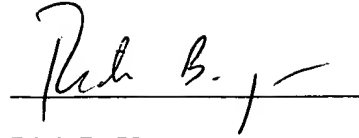
Claim 41

Although Wittenburg teaches Internet commerce, neither Wical nor Wittenburg teach the generation of a purchase order as claimed in claim 41.

Applicant respectfully argues that all pending claims are in condition for allowance.

Dated: August 14, 2006

Respectfully submitted,



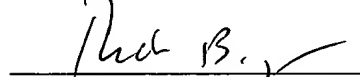
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Date of Deposit: August 14, 2006

I hereby certify that the above correspondence (SUPPLEMENTAL BRIEF OF APPELLANTS) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date shown above and is addressed to Mail Stop Patent Appeal Brief Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Rick B. Yeager

CLAIMS APPENDIX

(On January 25, 2006, Applicant submitted amendments to claims 1, 27, and 42; withdrew claim 36, and amended claims 37-41 to be dependent upon claim 1. On February 15, 2005, Supervisory Examiner Kincaid mailed an Advisory Action stating that the January 25 amendments would not be entered because they raise new issues that would require further consideration and/or search.) The following are the claims on appeal:

1. (previously amended) A method for presenting a portion of an electronic catalog database, the method comprising steps of:
 - presenting a first tier of tabs, each tab in the first tier of tabs representing a first collection of data objects corresponding thereto;
 - in response to a selecting of a tab of the first tier to produce a selected first tier tab, presenting a second tier of tabs, each tab in the second tier of tabs representing a second collection of data objects, each data object in the second tier also belonging to the first collection of data objects corresponding to the selected first tier tab;
 - in response to a selecting of a tab of the second tier to produce a selected second tier tab, presenting a third tier of tabs, each tab in the third tier of tabs representing a third collection of data objects, each data object in the third tier also belonging to the second collection of data objects corresponding to the selected second tier tab; and
 - in response to a selecting of a tab of the third tier, displaying a page from the electronic catalog database.
2. (Original) The method of claim 1, wherein: the second tier of tabs is not visible until after the selecting of a tab of the first tier.
3. (Original) The method of claim 1, wherein: the second tier of tabs is visible.

4. (Cancelled)

5. (previously amended) The method of claim 1, wherein: the third tier of tabs is not visible until after the selecting of a tab of the second tier.

6. (previously amended) The method of claim 1, further comprising a steps of: in response to a selecting of a tab of the third tier to produce a selected third tier tab, presenting a fourth tier of tabs, each tab in the fourth tier of tabs representing a fourth collection of data objects, each data object in the fourth tier also belonging to the third collection of data objects corresponding to the selected third tier tab; and in response to a selecting of a tab of the fourth tier, displaying a page from the electronic catalog database.

7. (previously amended) The method of claim 1, wherein the electronic catalog database comprises a plurality of products.

8. (Original) The method of claim 1, wherein: the presenting the first tier of tabs includes executing a process in a first computer system and displaying the first tier of tabs on a display device of a second computer system; and the selecting of a tab of the first tier to produce a selected first tier tab includes providing a selection of the selected first tier tab to the first computer system.

9. (Original) The method of claim 1, wherein: after the selecting of the tab of the first tier to produce the selected first tier tab representing a first collection of data objects, and in response to a selecting of a subsequent tab of the first tier to produce a subsequent selected first tier tab, wherein the first tier includes both the selected first tier tab and the subsequent selected first tier tab: replacing the second tier of tabs with a subsequent second tier of tabs representing a fourth collection of data objects; and replacing the third tier of tabs with a subsequent third tier of tabs representing a fourth collection of data objects.

10. (Original) The method of claim 1, further comprising a step of: modifying a browser to perform the presenting the first tier of tabs.
11. (Original) The method of claim 1, further comprising: receiving a scroll input corresponding to at least one of the first tier and the second tier; in response to receiving a scroll input, scrolling the corresponding at least one of the first tier and the second tier.
12. (Original) The method of claim 1, wherein: at least one of the first tier and the second tier is horizontal.
13. (Original) The method of claim 1, wherein: at least one of the first tier and the second tier is vertical.
14. (Original) The method of claim 1, wherein: at least one of the first tier and the second tier is horizontal and at least one of the first tier and the second tier is vertical.
15. (Original) The method of claim 1, wherein: the form representing the collection of records of tabs is visually scalable.
16. (Original) The method of claim 1, further comprising a step of: accessing the database over a network.
17. (Original) The method of claim 16, wherein: accessing the database over a network includes accessing the database over the Internet.
18. (Original) The method of claim 16, wherein: accessing the database includes reading a computer readable medium.
19. (previously amended) The method of claim 16, wherein: accessing the database over a network includes accessing a first portion of the database over a network and a second portion of the database over a computer readable medium.

20. (Original) The method of claim 16, further comprising: storing the portion of the database locally.
21. (Original) The method of claim 1, comprising accepting a text input search request from a user; conducting a search and identifying at least one data object that satisfies the search request; identifying at least one data object; determining a second tier of tabs associated with the data object; determining a first set of tabs associated with the data object; and displaying a representation of the data object along with the first set of tabs and the second set of tabs.
22. (Original) The method of claim 1, comprising presenting a graphic image on at least one of the first tier tabs.
23. (Original) The method of claim 1, comprising presenting a graphic image on at least one of the second tier tabs.
24. (Withdrawn)
25. (Withdrawn)
26. (Withdrawn)
27. (Original) A method for presenting an electronic office products catalog, the method comprising:
- assigning, for each office product, at least one product category name;
 - assigning, for each product category name, an alphabetic tab, such that the tab corresponds to the first letter of the product category name;
 - assigning, for each office product, at least one page number of the electronic catalog where the office product will be displayed;

assigning, for each product category name, a set of page numbers corresponding to the pages of the electronic catalog at least one office product corresponding to the product category name will be displayed in the electronic office products catalog;

presenting a first tier of alphabetic tabs, each alphabetic tab displaying at least one letter;

in response to a selecting of an alphabetic tab, presenting a second tier of product category name tabs, such that a product category name tab is presented for each product category name beginning with the alphabetic letter of the selected alphabetic tab;

in response to a selecting of a product category name tab, presenting a third tier page number tabs, such that at least one page number tab is presented for each product category name; and

in response to a selecting of a page number tab, displaying the first page represented by the page number tab.

28. (Original) The method of claim 27 comprising scrolling at least one of the alphabetic, product name, or page number tabs.

29. (Original) The method of claim 27 comprising in response to a selecting of a product category name tab, presenting a third tier of product sub-category name tabs such that at least one sub-category name tab is presented for each product category name; in response to a selecting of a product sub-category name tab, presenting a fourth tier of page number tabs, such that at least one page number tab is presented for each subproduct category name; and in response to a selecting of a page tab, displaying the first page represented by the page number tab.

30. (Original) The method of claim 27 comprising accessing the electronic office products catalog over a network.

31. (Original) The method of claim 27 comprising storing the portion of the database locally.

32. (Withdrawn)

33. (Withdrawn)

34. (Withdrawn)

35. (Withdrawn)

36. (previously amended) A method for presenting a portion of an electronic catalog database, the method comprising steps of:

presenting a bottom tier of tabs, each tab in the bottom tier of tabs representing a first collection of data objects corresponding thereto; and
in response to a selecting of a tab of the bottom tier to produce a selected bottom tier tab, presenting a form of selectable graphics images representing a collection of records of the database; and presenting a next tier of tabs, each tab in the next tier of tabs representing a collection of tabs of the bottom tier of tabs.

37. (Original) The method of claim 36, further comprising a step of: receiving an action from the form.

38. (Original) The method of claim 37, wherein: the action is a text entry.

39. (Original) The method of claim 37, wherein: the action is a quantity.

40. (Original) The method of claim 37, further comprising: in response to receiving an action, generating a record for subsequent action.

41. (Original) The method of claim 37, further comprising: generating a purchase order in response to receiving the action.

42. (previously amended) A method of presenting a plurality of electronic catalogs on a computer workstation, the method comprising

presenting a menu of electronic catalogs to a user from the workstation; and
in response to the selection of a catalog,

presenting a first tier of tabs from the selected catalog, each tab in the first tier of tabs representing a first collection of data objects corresponding thereto;
in response to a selecting of a tab of the first tier to produce a selected first tier tab, presenting a second tier of tabs from the selected catalog, each tab in the second tier of tabs representing a second collection of data objects, each data object in the second tier also belonging to the first collection of data objects corresponding to the selected first tier tab;

in response to a selecting of a tab of the second tier to produce a selected second tier tab, presenting a third tier of tabs, each tab in the third tier of tabs representing a third collection of data objects, each data object in the third tier also belonging to the second collection of data objects corresponding to the selected second tier tab; and

in response to a selecting of a tab of the third tier, displaying a page from the selected electronic catalog.

43. (Original) The method of claim 42 comprising displaying a product display page.

44. (Original) The method of claim 42 comprising displaying an index page.

45. (previously added) A method for presenting a portion of a database, the database comprising a plurality of data objects, the method comprising steps of:

presenting a first tier of graphics images, such that each of the graphics images in the first tier represents a first collection of data objects from the plurality of data objects;

in response to a selecting of a graphics image of the first tier of graphics images,

continuing to present the first tier of graphics images, and

presenting a second tier of graphics images, such that each of the graphics images in the second tier represents a second collection of data objects from the plurality of data objects, such that the second collection of data objects is a subset of the first collection of data objects;

in response to a selecting of a graphics image of the second tier of graphics images,

continuing to present the first tier of graphics images,

continuing to present the second tier of graphics images,

presenting a third tier of graphics images, such that each of the graphics images in the third tier represents a third collection of data objects from the plurality of data objects, such that the third collection of data objects is a subset of the second collection of data objects;

in response to a selecting of a graphics image of the third tier of graphics images,

continuing to present the first tier of graphics images,

continuing to present the second tier of graphics images,

continuing to present the third tier of graphics images, and

determining whether

to present a fourth tier of graphics images such that each of the graphics images in the fourth tier represents a fourth collection of data objects from the plurality of data objects, such that the fourth collection of data objects is a subset of the third collection of data objects, or

to present a selected portion of the database.

EVIDENCE APPENDIX

RELATED PROCEEDINGS APPENDIX

Notification of Non-Compliant Appeal Brief
(37 CFR 41.37)

AUG 14 2006

Application No.

09/738,050

Applicant(s)

MORRISON ET AL.

Examiner

Thanh T. Vu

Art Unit

2174

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 02 May 2006 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer.
EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.

1. ☒ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☒ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner **and relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☒ Other (including any explanation in support of the above items):

The following sections are missing from the Appeal Brief: 1) "Evidence Appendix", as set forth in 37 CFR 41.37(c)(1)(ix); and 2) "Related Proceedings Appendix", as set forth in 37 CFR 41.37(c)(1)(x). A Supplemental Appeal Brief that is in compliance with 37 CFR 41.37(c) is required.

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